In re Application of: Atilla Uz
Application No.: 10/598,785
Atty. Docket No.: PHDL0860-010

Art Group: 1792
Examiner: Cormier, David G.

REMARKS

Claims 1-6 are pending in the application. The Examiner has objected to claims 1-6 as requiring restriction.

Claim Amendments

Applicant has amended claims 2-6 to respond to the Examiner's objections. Claims 7-11 have been added to as dependent claims to claim 1 in case the traverse is denied.

Traverse

Applicant kindly disagrees with the Examiners contentions regarding claims 1-6. Specifically, Applicant believes that claims 1-6 do belong to a single invention including an apparatus and control method.   The restriction cites to Bashark (US Publ. No. 2005/0005952) and states that Bashark includes " … a control card which can sense a current from the motor of the circulation pump (25; paragraph 22)."   *Restriction page 2*. Applicant kindly states that the restriction does not provide *prima facie* evidence Bashark teaches any shared features of Applicant's invention.   Specifically, Applicant claim 1 differs from Bashark in that control card traces the change of the current drawn by the circulation pump from the network. In contrast, Bashark the current is simply detected and monitored so that when the current "falls to predetermined level" action is taken; its change is however not traced. Therefore, the restriction does not set forth even a prima facie case for restriction of the invention, and Applicant kindly traverses the objection.   Thus, Applicant kindly asks that the Examiner withdraw this restriction.

Provisional Election

Although, Applicant disagrees with the Restriction and is traversing the restriction, Applicant provisionally elects claim 1 and dependent claims 7 through 11.

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Conclusion

Applicants believe they have addressed and responded to every point raised in the restriction. For the reasons stated above, Applicants respectfully request reconsideration of their application.

Respectfully submitted,

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